

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Cr. No. 14-MJ-3093 SCY
	)	
LEON J. TAFOYA,	)	
	)	
Defendant.	)	

**AGREED ORDER FINDING DEFENDANT COMPETENT TO STAND TRIAL**

The Court considered the Forensic Psychological Competence to Stand Trial Evaluation (Evaluation) completed on January 26, 2015 (Doc. 12) and submitted to the Court on February 3, 2015. Being fully advised, the Court has sufficient factual basis to rule on the Defendant Leon J. Tafoya's competency to stand trial.

The Court finds as follows:

1. On September 30, 2014, in accordance with 18 U.S.C. § 4241(a), the Court determined that there was a reasonable basis for concluding that Mr. Tafoya lacked an adequate understanding of the nature of the charges or consequences and that Mr. Tafoya did not have the ability to consult with his counsel. The Court ordered forensic psychologist Eric M. Westfried, Ph.D. to evaluate Mr. Tafoya's mental competency (Doc. 10).

2. Dr. Westfried conducted an examination of Mr. Tafoya, and submitted his observations and conclusions in the Evaluation.

3. Based on this Evaluation, during his competency interview, Mr. Tafoya has "demonstrated an understanding of his charges, an appreciation of potential consequences, an accurate appraisal of available defenses and function of courtroom participants, and the capacity

to comprehend his rights as well as to engage in decision-making about his legal case....” Doc.

12 at 1. Defendant is competent to stand trial.

4. No further hearing on Mr. Tafoya’s mental competence to stand trial is needed at this time.

5. The speedy trial findings and exclusions remain in effect and the Court shall proceed with this case.

**IT IS SO ORDERED.**

  
STEVEN C. YARBROUGH  
UNITED STATES MAGISTRATE JUDGE

Submitted by:  
Novaline D. Wilson, AUSA

Approved by:  
Alonzo J. Padilla, AFD  
Attorney for Leon J. Tafoya